P.7.208-92

G. R. S. IX-5]

Previous references.

1891-92

192 .

(L.R)

File No. 197

Serial Nos.

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-5

In ~~Part~~ B for November

SUBJECT.

Prayer of Venkatagiriah of Uneral for the Cancellation of the Sale of S. No. 40, brought by Respondent Muralreddy.

To,

The Deputy Commissioner, Bangalore District.

No. 7253 Dt. 26/28. 11. 1892.

P.7. 208-92

Requesting him to Cancel the Sale, if the petitioner pays in the Taluk Cutcherry, Rs 130/-, on or before the 2nd Dec. 1892, as agreed to at the hearing.

WD 2233—GPB—20,000—11-6-20

Continued

Memo.

Petition no: 3865 of 1892

Petitioner - Venkatsiriayya
of Anekal,
Bangalore District.

Shambhog Venkatramanaya
held certain Lands
in the villages of Kristna-
rajpur & another village.
He died in 1888-89 &
1889-90 the Patta of the
Lands was transferred to
the name of Lakshmamma,
widow of Venkatramanaya.
Rs: 86 " 12 " 3 for both
the villages was due for
the year Virodhi, 89-90.
A notice was issued
& Srvc. no: 6 pt: was
attached. The last
date fixed for sale of
the Land was 15th Dec: 90.
In September 1890
Venkatramanaya's
Cousin Ramaiya

* Note - The sale
was not held.

Registered the Khulawa
that the Patta of
Venkatramanayi
land might be
transferred from Lak-
manai to his
name as the Sha-
bhogi had been registered
in his name as
Venkatramanayi
heir. The Patta has
ordered to be transferred
in Dec. 90. On 31st
March 1891 demand
notice for a balance
of Rs. 81 " 14 " 3 for
Virodhi (1889-90)
& Vikruti (1890-91)
for the village of Kaitha-
rajpur was issued
in the name of
Shanbhog Devaraya
in Pattadari. The notice
was served on him on
the same date - viz
31. 3. 91. The arrears
remaining still un-
-paid, are Rs. 40
with 400 Cocoanut
plants belonging to
the Khatedar has
attached on 18th April 1891

× Dry - 4t. - Rs 4
2-3 3 " 8 " 0.

3.

Sale Proclamation dated 4th May 1891 was published on 7th: idem the date of sale being fixed for 9th June 1891. The property attached was sold on the fixed date and purchased for Rs: 85/- On 17th: July 1891 the Bailiff submitted the sale proceedings to the Collr: for Confirmation. Mr: Kirkwood Assistant Commr: pointed out to the Bailiff that the holding ought to have been declared forfeited & sold under Land Rev: Rule XXXVI and that the notice of sale should be published as required in Secs: 171 & 172 of the Land Rev: Code, and Confirmed the sale on 17th Augt 91 as it was not objected to by any body.

x Note. The date first entered was 5.9.91 but afterwards altered.

On 4th April 1894
Ackamma, mother
of Kukkamma petitioned
the Tahsildar that one
Dey & one Bet Canda
were in the Khata &
enjoyment of her
daughter, that Sham-
bhog Ramappa has
forcibly cut the crop
of the lands for himself,
that the Kandayam
of the lands might be
taken from her daughter
Kukkamma and
Ramappa ordered
not to interfere
in the matter. The
Tahsildar directed the
Shekdar to report the
steps taken for the
recovery of the arrears
& to collect their
without delay. The
latter reported that
the lands attached
had been advertised
for sale on 9th June
1894. Whereupon
the petition was
ordered to be filed
with the Prop.

On 12th October 1891
and subsequently
the Applicant represented
to the Builder that
the property sold to one
Otia Canda had been hypo-
thecated to him in 1888
for Rs: 392 by Shanbhog
Venkatramanappa
that one no: 40 had
been sold at the in-
stance of Ramaiya
who wished to deceive
the petitioner, and
that the sale might be
cancelled. The Builder
informed him that the
land had been sold
sold & given over to the
possession of the purchaser
Muniswamy. The
petitioner then applied
to the Dy Comr: who
declined to interfere
Govt: dated 15th Feby 92.

The appeal is against
the above order. The
Appellant contends -

(1). That suit: No. 46.
Contains a
stone-faced well work
about 2 or 3 thousand
rupees, a stone mantap
valued at Rs 60 or 70,
each an Appe tree
worth about Rs 50/- and
Cashewnut trees number-
ing four to five thousand.

(2) that for a Kandayam
Rs: 10 or 12 persons
worth 4 or 5 thousand
rupees had been sold
fraudulently without
notice to the Appellant
(mortgagee without
possession), nor to
the Pattadars under
(Rule maxima).

No point for decision
is whether the sale
was held regularly
& should be upheld

No reasons given
by the Lessons for declining

2 / It is to be noted that no objection was taken before the sale was confirmed.

/ In the attachment list concerning survey No. 40 a remark is added that the stone-well & the mangalya together with the trees having been allotted for charitable purposes may be not attached. The sale list also shows that only the land with the cannanin trees belonging to the khatedars share was sold.

/ In the Mechalaka dated 8th September 91 the purchaser states that he has taken possession of the land, the cannanin trees, etc: and the

entire right to Mr. [illegible]
land.

31/8/92

Hearing 1/7th November '92
Quo warranto to Palliser
& purchaser?
WL
17/10/92

9.

(2)

(1) Stamps Correct.

(2.) Appeal in time

(3). Copy of order produced

(4). Rule I cl.(29) of the Rules

Submitted to Hon'ble Council

(General Serial No. 32.)

1892. [illegible]

No. 3865.

Name of Petitioner. S. Devadasiah

Village.

Taluk. Anekal

District. Bangalore

Date of Arzi. 21st February 1892

Date of Receipt. 23rd February 1892

Date of Disposal.

No. of Enclosures. Two

ABSTRACT.

Appeal against the Bangalore Deputy Commissioner's order No. 442 of 15.2.92, forming part of the Taluk Register No. 4 for recovery of arrears of Rent was summarily dismissed, & ~~Cancelled~~ be cancelled.

Land No. 40 and four others within the assessment of Rs. 12-11-0 situated near the village Kachanayakanahalli were hypothecated to the Petitioner

17/3/92.

Note - The petition is couched in intemperate language. It also appears that a certain effort

17/3/92

Call for Rec

To hear Petr and Dept on a day

19/3

for Rs. 24 to Sri Sankaracharya
Uttaramadam the Pattadar. Since his death (Pattadars) in 1869, his widow and the present Sankaracharya Swamiah (the cousin) have been enjoying them
In Case No 40, there are Stone Mantaps worth Rs 2 or 3 trees, Neem trees & the Casuarina Rs 50, 4 or 5 Coco trees and a well with Macanary work worth 2 or 300 Some time back the Pandagam fell into arrears and the Devasthanam sold by auction for its recovery. When the petitioner came to know this, he submitted a petition to the Collector, requesting the Government to cancel the sale as the sale was irregular. He submitted to the Deputy Commissioner, who held that the sale was properly conducted and that he had no interfere in the matter

any further.

The petitioner appeal against this order on the following grounds:-

1. That no notice was served either on the petitioner or on the wife of the deceased Patteden

2. The sale appears to be the result of collusion between the Shanbag and one Channa Vera who purchased the said Cumari-na tree.

3. The land should not have been sold for the sale of a few trees. Any movable property that the Shanbag owns or the Stone mantap or a few Cumarina trees could have been attached and sold and the amount of 10 or 12 Rs. realised

4. The Deputy Commissioner has erred in recognising Ramiah as the Patteden

A.J.C.

Memo: instr. no.
642 of 15th: Feby: 92.
is to the following effect.

The Kandayam
one by the Pattedar,
Rambhoj Ramaiya,
was in arrear. A
notice was served on
him on 31st March
1891. Land-Rev:
no: 60 in his holding
was attached on
18th: April 1891. After
the usual procedure
it was sold on 9th
June 1891. Amildar
submitted Proc: for
& Confirmation of
Sale on 20th July
The sale was confirmed
on 17th: August. no
Objections were received
until the sale was
confirmed. There is
therefore no reason
to interfere in the
matter.

Sd/ V. P. Madhavarao.

MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT
REG'D. No.
DATED

Two Rupees stamp affixed

21-2-92

15.

No 296 K.

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

3

The accompanying Petition No. 3865

dated 21st February 92 received at the

Dewan's Office from C. Venkatagiriah

Residing in Anekal Taluk

Kasaba

is forwarded, together with its Two

enclosures, to the Deputy Commr

Bangalore Dist for Information

& Proceedings & Report

By Order,

(Counsellor)

19/3

28/3/92

for Chief Secretary.

BANGALORE,

March 1892

Pol. Br.
Desk 24 b 92

(General Serial No.) 1892 No. 359

OFFICE OF THE
24 JUN. 92
DEPUTY COMMISSIONER OF MYSORE

4

From The Deputy Commissioner
Bangalore City.

To The Chief Secretary
to the Govt of
Mysore

Dated 22nd
Despatched 23rd June
Received

Enclosures No. 1 & 2 files
of V. Papers

General No.
D No. 315

Chief Secretary's
Official Memo No. 296
dated 28th March 1892
forwarding a petition
from L. Venkatapariah
of Anekal Kasba for
extinction of Pro-
-ceedings with a
precis thereof-

Has the honor to
forward a Memo
prepared in this Of-
-fice on the subject
explaining the Cir-
-cumstances of the

Mem. Ct. Dn.
Council with
Memo
24/6/92
x Dn 191-9-3

131
27-6-92

Case -

2 - The procedure laid down by the Revenue Code and the Rules does not appear to have been strictly followed -

3. Enclosures are herewith returned together with the Vernacular file during with Auditor's report No. 197 for reference and obliging return -

Malang Meavon

for Dy. Commissioner

18

Before the Government of *His Highness* the Maharaja of Mysore.

5

Appeal No. 189 of 1891 92.

Appellant.	Vs.	Respondent.
Venkatagirialu of Anekal, Bangalore Dist		Musalreddy.

Decision. 20-11-92.

Respondent bought in June 1891, Survey No 40 (area 2-3, assessed at Rs 3-8.) for Rs 35 in a sale held for arrears of Revenue due by Munisyappa Kamiah. Appellant states that the land was hypothecated to him and requests that the sale may be cancelled, as it was made without his knowledge and purchased by the Respondent for a very small sum.

2. At the hearing, the parties entered into a compromise. The Appellant agreed to pay the Respondent Rs 150 within 15 days from the 1st November 1892 and

the Respondent agreed to receive the sum and allow the sale to be cancelled.

3. The Government accept the compromise. The Deputy Commissioner is accordingly requested to cancel the sale, if the Khallasi pay the money in the Taluk Cutcherry on or before the 2nd Dec. 1892. The money so paid may be credited over to the Respondent.

"By Order"

28/11.

for Chief Secretary

LCP
28/11/92 Redraft

7253
Petn 295-92 & 26/28 — 11-92

Copy to the Deputy Commr Bangalore Dis. with the Revr's papers submitted with his No 315 & 22nd June/92.

"By order"

for Chief Secretary
28/11

SC

20

(5)

M No 189 of 1891-92

Applt
Venkatagirayya
of Anekal

Respt
Musaheddy

in June 1891
Respt brought No 40 (area 2-3 assessed at No 3-8-) for Rs 85 in a sale held for arrears of revenue due by Shantheyy Ramiah. Applt states that the land was hypothecated to him & he requests that the sale may be cancelled as it was made without his knowledge & purchased by Respt for a very small sum.

At the hearing the parties entered into a compromise. The applt agrees to pay Respt Rs 130 within 15 days from the 17th Nov 1892 & Respt agrees to receive the sum & allow the sale to be cancelled.

If you accept the compromise - the Dft Court is accordingly requested to

Cancel the sale

if the Appt pays the

Money in the Salug Catchery on or

before the 2d December 1892.

The money so paid may be

made over to the Respt.

WL

18/11/92

20/11

Resp.

It Dft Cert has been

requested to cancel

the sale if Mr pays

in the Salug Catchery

No 130 on or before 2d Dec 1892

as agreed to at the

hearing

WL

20/11

2 C

AJ No. 189

(1)

MYSORE DEWAN'S OFFICE,
PETITION DEPARTMENT,
28 Nov 1892.

Redd Inam Cred Dy

Endorsement granted to Judicial Girindr of Shedial, Bangalore District
in reply to his Petition Registered No. 3365 dated 21-2-92,

Petitioner is informed that the Deputy Commissioner has been requested to cancel the sale, if ~~the~~ Petitioner pays in the Taluk Cutcherry Rs 130 on or before the 2d December 1892 as agreed to at the hearing.

2 The enc: are returned.

28/nov

"By Order,"

Redraft

28/11

Chief Secretary.

Mysore Govt. Central Press, Bangalore.—5-7-92—1000.

Returned with enclosures
12-92